



2200  
AF

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Cynthia C. Morton *et al.*

Art Unit : 1648

Serial No. : 09/394,264

Examiner : U. Winkler

Filed : September 10, 1999

Title (as amended): COMPOSITIONS TO DETECT LESIONS ASSOCIATED WITH  
HEARING LOSS IN THE COCHLEAR GENE, COCH5B2

Title (previously): A NOVEL COCHLEAR GENE COCH5B2 AND USES THEREFOR

**MAIL STOP AF**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL

Applicants hereby appeal to the Board of Patent Appeals and Interferences from the action dated September 7, 2004, finally rejecting claims 62 and 63.

A petition for an extension of time under 37 CFR §1.136 to extend the time to respond to the final rejection for three months to and including March 7, 2005, is enclosed.

A check in the amount of \$250 for the appeal fee is enclosed. Please apply any other charges or credits to Deposit Account No. 06-1050, referencing attorney docket number 10286-008001.

Respectfully submitted,

Date: 3-7-2005

Janice L. Kaylor  
Laurie Butler Lawrence  
Reg. No. 50,429  
Reg. No. 46,593

Fish & Richardson P.C.  
225 Franklin Street  
Boston, MA 02110-2804  
Telephone: (617) 542-5070  
Facsimile: (617) 542-8906  
21041789.doc

03/11/2005 MAHMED1 00000004 09394264

01 FC:2401

250.00 DP

## CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify under 37 CFR §1.8(a) that this correspondence is being deposited with the United States Postal Service as first class mail with sufficient postage on the date indicated below and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

March 7, 2005  
Date of Deposit

Signature

Typed or Printed Name of Person Signing Certificate

Megan O'Meara  
Megan O'Meara